

FISH & RICHARDSON P.C.

Frederick P. Fish  
1855-1930

W.K. Richardson  
1859-1951



August 9, 1999

Attorney Docket No.: 07807/116001

**Box CPA**

Assistant Commissioner for Patents  
Washington, DC 20231

45 Rockefeller Plaza  
Suite 2800  
New York, New York  
10111

Telephone  
212 765-5070

Facsimile  
212 258-2291

Web Site  
www.fr.com

GAU3724/P  
#21/CPA  
8/19/99  
Valentin

This paper is a request for a continuation under 37 C.F.R. 1.53(d) of

**Applicant:**  
**Title:**

Peter Bauer and Herbert Happe  
METHOD AND APPARATUS FOR CUTTING  
BODIES HAVING A NON-CIRCULAR CROSS  
SECTION

RECEIVED  
AUG 18 1999  
TC 3700 NAIL ROOM

Prior U.S. application no: 08/659,046  
Filing Date: 06/03/96

The prior application was complete as defined by 37 CFR 1.51(b), or was a national stage of an international application filed in compliance with 35 USC §371.

The prior application was filed after June 8, 1995.

This request for a CPA is the reference to the prior application noted above as required by 35 USC §120. Kindly abandon the prior application in favor of the continued proceedings that are requested herein.

Please enter the enclosed Preliminary Amendment.

The prior application is assigned of record to Synthes (U.S.A.), a Pennsylvania partnership, by virtue of an assignment submitted to the Patent and Trademark Office for recording on 06/03/96 at 8018/0237.

"EXPRESS MAIL" Mailing Label Number EI 37210023645

Date of Deposit AUGUST 9, 1999

I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office To Addressee" with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Valentin Figueroa  
VALENTIN FIGUEROA

Patent Ref: 08/17/1999 SLUANG1 0012024300  
Date/Number: 08/05/1999 08659046  
Fee: 764 \$30.00 CR

08/17/1999 SLUANG1 00000090 08659046

01 08/17/99

760.00 CR

August 9, 1999

Page 2

This request includes 2 sheets, and the following:

Enclosures:

- Postcard
- Preliminary Amendment

The entire disclosure of the prior application is part of this application and is incorporated by reference.

Basic filing fee	790.00
Total claims in excess of 20 times \$22.00	0.00
Independent claims in excess of 3 times \$82.00	0.00
Fee for Multiple dependent claims	0.00
Total filing fee:	\$ 790.00

A check for the filing fee is enclosed. Please apply any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

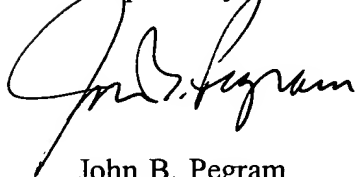
If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at 212/765-5070.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

John B. Pegram  
Fish & Richardson P.C.  
45 Rockefeller Plaza  
Suite 2800  
New York, NY 10111

Respectfully submitted,



John B. Pegram  
Reg. No. 25,198  
Enclosures  
55873.N11



PATENT  
ATTORNEY DOCKET NO. 07807/116001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Bauer et al.  
Serial No.: 08/659,046  
Filed : 06/03/96  
Title : METHOD AND APPARATUS FOR CUTTING BODIES HAVING A NON-CIRCULAR CROSS SECTION

Art Unit: 3724  
Examiner: Dexter

Box CPA  
Assistant Commissioner for Patents  
Washington, DC 20231

PRELIMINARY AMENDMENT

Prior to examination, please amend the claims as follows:

Cancel claims 6-8, 15 and 16.

Add new claim 17.

--17. A hand-held tool for shearing by transverse forces a body having a non-circular cross-section by the application of torsional force, said tool comprising upper and lower discs, each of said discs having an upper side and a lower side, said upper disc having opposing cutting edges in the form of a fixed slot at its lower side and said lower disc having opposing cutting edges in the form of a fixed slot at its upper side, said sides directly touching each other at said edges, each of said discs having a handle attached thereto for rotating said discs counter to one another about a rotation axis to apply a torsional shearing force on the body in a plane transverse to the longitudinal axis of the body, said slots extending from the

"EXPRESS MAIL" Mailing Label Number EL372100236 US

Date of Deposit AUGUST 9, 1999

I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office To Addressee" with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Valentin Figueroa

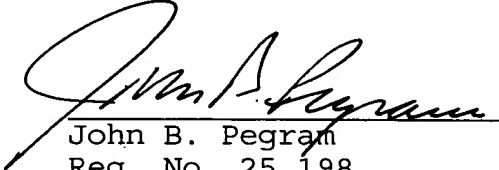
VALENTIN FIGUEROA

RECEIVED  
AUG 18 1999  
TC 3700 MAIL ROOM

outer periphery of the respective discs and narrowing toward the center of the respective discs.--

The Examiner is asked to take this amendment into consideration when examining the application.

Respectfully submitted,

  
John B. Pegram  
Reg. No. 25,198

Date: August 9, 1999

Fish & Richardson P.C.  
45 Rockefeller Plaza  
New York, NY 10111

Telephone: 212/765-5070  
Facsimile: 212/258-2291  
55871.N11